

REMARKS

By the present amendment, claims 1, 3-8, 10, 13-16, 18, 20 and 21 have been amended. Claim 12 was previously canceled.

Claims 1-11 and 13-21 remain pending in the application. Reconsideration and allowance of all of the claims is respectfully requested in view of the following remarks.

In regard to Rejection of Claims 1-7, 10, 11, 13, 16 and 21 Under 35 USC § 103(a)

The Examiner has rejected claims 1-7, 10, 11, 13, 16 and 21 under 35 U.S.C. § 103(a), as being unpatentable over Ethier, U.S. Patent No. 4,662,468, in view of Horiike, U.S. Patent No. 4,887,688. The Applicants believe this rejection has been addressed and overcome by the present amendment.

The Examiner's attention is directed to the following feature of claim 1 as amended:

a storage compartment disposed at the front portion of the frame between the pair of front wheels;

The Applicants submit that at least the above feature of claim 1 as amended is not taught by Ethier.

Referring to lines 49-50 of column 1 of Ethier,

The creative idea consists in a three-wheel vehicle getting away from the idea of conventional automobiles and coming closer to the idea of motorcycles and snowmobiles without falling into the snowmobile modifications of the prior art.

This creative idea simply consists of a three-wheel vehicle having a front engine,

Referring also to lines 11-16 of column 3 of Ethier,

(f) instead of a passenger, it is easy to carry luggages, camping material, grocery bags or other useful objects, without having to add supports because everything can be retained by the closed-bottom and opened-top open cab;

It is apparent that Ethier teaches a vehicle similar to a snowmobile, having a front engine. In addition, Ethier teaches that luggage or other objects can be carried in the cab instead of a passenger, when the passenger is not present. As such, Ethier does not teach a storage compartment disposed at a front portion of a vehicle. By extension, Ethier does not teach a storage compartment between the front wheels of a vehicle. Therefore, Ethier does not teach a storage compartment disposed at the front portion of the frame between the pair of front wheels.

This deficiency in Ethier is not remedied by Horiike, without admitting that Horiike can be combined with Ethier and reserving the right to argue thereagainst in the future.

Referring to lines 15-18 of column 3 of Horiike,

A relatively wide tire 2 having a flat tread is mounted on a rear wheel. A round tire A having a more conventional tread is mounted on a front wheel.

It is apparent that Horiike teaches a vehicle having a single front wheel. Therefore, Horiike does not teach any structure disposed between a pair of front wheels. In addition, Horiike makes no mention of a storage compartment disposed at the front portion of the vehicle of Horiike.

Referring now to lines 66-15 of columns 4-5 of Horiike,

As shown in FIG. 6, upon cornering, the front wheel is caused to bank together with the front frame 1 through the manipulation of the handlebar 11, by the driver. [...] Therefore, since each of the mounting stays "B" and "D" are coupled to and supported by the main frame 23, they are not banked, and the front cowling "A" and lateral extensions "a" of the front cowling "A" are maintained in a generally parallel condition relative to the ground.

Referring also to Figure 6 of Horiike, it is apparent that the front wheel 4 of Horiike is able to bank to either side while the front cowling A of Horiike is maintained generally parallel to the ground. As the front wheel 4 of Horiike banks, it sweeps out most of the volume of the front cowling A. As such, there is no space within the front cowling A of Horiike for a storage compartment, and storing objects within the front cowling A of Horiike would obstruct the banking motion of the front wheel 4. Therefore, Horiike does not teach a

storage compartment disposed at the front portion of the frame between the pair of front wheels.

Therefore, at least one feature of claim 1 as amended is not taught by Ethier or Horiike, alone or in combination, which combination is not admitted. As such, the Examiner is requested to withdraw her rejection of claim 1 and claims 2-7, 10, 11, 13, 16 and 21 depending therefrom.

In regard to Rejection of Claims 8 and 9 Under 35 USC § 103(a)

The Examiner has rejected claims 8 and 9 under 35 U.S.C. § 103(a), as being unpatentable over Ethier and Horiike, and further in view of Kido, U.S. Patent No. 6,508,326. The Applicants believe this rejection has been addressed and overcome by the present amendment.

The Examiner's attention is directed to the following feature of claim 1 as amended:

a storage compartment disposed at the front portion of the frame between the pair of front wheels;

As discussed above with respect to claims 1-7, 10, 11, 13, 16 and 21, the above feature of claim 1 as amended is not taught by Ethier, and this deficiency in Ethier is not remedied by Horiike.

This deficiency in Ethier is also not remedied by the Examiner's assertion that Kido teaches a fan mounted on a radiator. The Applicants do not admit the correctness of the Examiner's assertion and reserve the right to argue thereagainst in the future.

Referring now to lines 39-41 of column 3 of Kido,

In FIG. 1, a muffler 28 is connected to the exhaust pipes 23, and baggage boxes 29 and 30 are secured to the motorcycle frame.

Referring also to Figure 1 of Kido, it is apparent that Kido teaches securing storage boxes 29 and 30 to the rear of the frame 2 of the motorcycle 1. Kido makes no mention of a storage compartment at the front portion of the frame.

Therefore, at least one feature of claim 1 as amended is not taught by Ethier, Horiike or Kido, alone or in combination, which combination is not admitted. As such, the Examiner is requested to withdraw her rejection of claims 8 and 9 depending from claim 1.

In regard to Rejection of Claims 11, 14 and 15 Under 35 USC § 103(a)

The Examiner has rejected claims 11, 14 and 15 under 35 U.S.C. § 103(a), as being unpatentable over Ethier and Horiike, and further in view of Hamane, U.S. Patent No. 4,564,081. The Applicants believe this rejection has been addressed and overcome by the present amendment.

The Examiner's attention is directed to the following feature of claim 1 as amended:

a storage compartment disposed at the front portion of the frame between the pair of front wheels;

As discussed above with respect to claims 1-7, 10, 11, 13, 16 and 21, the above feature of claim 1 as amended is not taught by Ethier, and this deficiency in Ethier is not remedied by Horiike.

This deficiency in Ethier is also not remedied by Hamane, without admitting that Hamane can be combined with either Ethier or Horiike, and reserving the right to argue thereagainst in the future.

Referring to Figures 1 and 8 of Hamane, it is apparent that Hamane teaches a motorcycle having a single front wheel 16 and a single rear wheel 18. Both the front wheel 16 and the rear wheel 18 of Horiike are centered on the longitudinal axis of the motorcycle of Hamane. Therefore, Hamane does not teach a storage compartment disposed between a front pair of wheels. Even if Hamane could be modified to have a pair of front wheels, which is not admitted, the compartment 48, 96 would be above the front wheels and not between the wheels. Therefore, Hamane does not teach a storage compartment disposed at the front portion of the frame between the pair of front wheels.

Therefore, at least one feature of claim 1 as amended is not taught by Ethier, Horiike or Hamane, alone or in combination, which combination is not admitted. As such, the Examiner is requested to withdraw her rejection of claims 11, 14 and 15 depending from claim 1.

In regard to Rejection of Claims 17 and 20 Under 35 USC § 103(a)

The Examiner has rejected claims 17 and 20 under 35 U.S.C. § 103(a), as being unpatentable over Levasseur, U.S. Patent No. 5,564,517, in view of Hamane. The Applicants disagree.

The Examiner's attention is directed to the following feature of claim 17:

a storage compartment supported by the frame disposed between the pair of front wheels [...]

As the Examiner has indicated on page 5 of the rejection, Levasseur does not teach a storage compartment.

This deficiency is not remedied by Hamane, without admitting that Hamane can be combined with Levasseur and reserving the right to argue thereagainst in the future.

The Applicants submit that even if Levasseur could be modified in view of the teachings of Hamane, the resulting combination would still not teach the above feature of claim 17.

Referring to lines 5-9 of column 1 of Levasseur,

The present invention relates to snowmobile conversion kits, such that a frame member includes a rear swing arm member, such that the swing arm member includes a drive wheel, with the frame member having front steering wheels including hydraulic brake drum assemblies associated with each one of the wheels, and the frame arranged for ease of mounting to an existing snowmobile.

It is apparent that Levasseur teaches adding frame members to an existing snowmobile. As such, Levasseur does not teach any particular design of a snowmobile, and the snowmobile S shown in Levasseur is a conventional snowmobile. In particular, it is well known that the front portion (unlabeled in Levasseur) of a conventional snowmobile such as the snowmobile S is an engine compartment. Due to the space constraints inherent in the design of a snowmobile, the front portion of a snowmobile cannot accommodate a storage compartment as it is filled with the engine and various other components such as air intake conduits that are required by the engine.

Assuming, but without admitting, that Levasseur could be modified by the addition of the compartment 48, 96 of Hamane, the vehicle of Levasseur thus modified would still not have a storage compartment disposed between the pair of front wheels.

The compartment 48, 96 of Hamane could not be added inside the front portion of the snowmobile of Levasseur, because that volume is occupied by the engine and related components thereof, as is well known in the art. The engine of the snowmobile of Levasseur could not be relocated for this purpose, because there is no other place in a snowmobile suitable for placing an engine, as is well known in the art.

A person skilled in the art would not place the compartment 48, 96 of Hamane on the outside of the front portion of the snowmobile of Levasseur, because it would disrupt the aerodynamics of the snowmobile and obstruct the view of the rider. Assuming, but without admitting, that the compartment 48, 96 of Hamane could be added to the outside of the front portion of the snowmobile of Levasseur, it would have to be placed above or forward of the front wheels of Levasseur, and as such the compartment would not be disposed between the pair of front wheels of Levasseur.

Therefore, even if Levasseur could be modified in view of Hamane, which is not admitted, the two references in combination would still fail to teach a storage compartment disposed at a front portion of a frame between a pair of front wheels.

Therefore, at least one feature of claim 17 as amended is not taught by Levasseur or Hamane, alone or in combination, which combination is not admitted. As such, the Examiner is requested to withdraw her rejection of claim 17 and claim 20 depending therefrom.

In regard to Rejection of Claims 18 and 19 Under 35 USC § 103(a)

The Examiner has rejected claims 18 and 19 under 35 U.S.C. § 103(a), as being unpatentable over Levasseur and Hamane, and further in view of Gessinger, U.S. Patent No. 5,167,294. The Applicants disagree.

The Examiner's attention is directed to the following feature of claim 17:

a storage compartment supported by the frame disposed between the pair of front wheels [...]

As discussed above with respect to claims 17 and 20, the above feature of claim 17 is not taught by Levasseur, and this deficiency in Levasseur is not remedied by Hamane.

This deficiency in Levasseur is not remedied by Gessinger, without admitting that Gessinger can be combined with Levasseur and reserving the right to argue thereagainst in the future.

Gessinger makes no mention of a storage compartment disposed anywhere on the vehicle. As such, Gessinger teaches no particular location of a storage compartment. Therefore, Gessinger does not teach a storage compartment disposed at a front portion of a frame between a pair of front wheels.

Therefore, at least one feature of claim 17 as amended is not taught by Levasseur, Hamane or Gessinger, alone or in combination, which combination is not admitted. As such, the Examiner is requested to withdraw her rejection of claims 18 and 19 depending from claim 17.

Miscellaneous Amendments

By the present amendment, claim 1 has been amended to recite a storage compartment. This amendment is believed to be supported in at least paragraph [0076] of the specification as originally filed. Claims 13-16 and 21 have been amended to be consistent with the amendment to claim 1.

By the present amendment, claims 1 and 8 have been amended to recite a radiator system, so as to be consistent with the terminology in paragraphs [0027] and [0066] of the application as originally filed. No change in claim scope is intended or should be inferred.

By the present amendment, claims 3-8 and 10 have been amended to depend from claim 2. The previous dependency from claim 1 was the result of a clerical error.

By the present amendment, claims 4 and 8 have been amended to correct grammatical errors. No change in claim scope is intended or should be inferred.

By the present amendment, claim 20 has been amended to make its terminology consistent with claim 17 from which it depends. No change in claim scope is intended or should be inferred.

In view of the above remarks, the Applicants respectfully submit that all of the currently pending claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in a better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

At the time of filing of the present response, no fees were believed to be necessary. In case any fee should be necessary, the Office is hereby authorized to debit Deposit Account number 502977.

Respectfully submitted,

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